

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

**YOLANDA GRISWELL, as EXECUTOR
of the Estate of MARY SMALLWOOD,
and Individually and on Behalf of All
Legal Beneficiaries of MARY
SMALLWOOD,**

Plaintiff,

v.

**BAXTER HEALTHCARE
CORPORATION, BAXTER
INTERNATIONAL, INC., SCIENTIFIC
PROTEIN LABORATORIES, LLC,
AMERICAN CAPITAL, LTD., and
COLISEUM MEDICAL CENTER, LLC,**

Defendants.

Civil Action No. 5:10-CV-174 (HL)

ORDER

This case was removed to this Court on April 28, 2010 by Defendants Baxter Healthcare Corporation, Baxter International, Inc., Scientific Protein Laboratories, LLC, and American Capital, LTD (the "Pharmaceutical Defendants"). On May 11, 2010, Plaintiff filed a Motion to Remand the case to the Superior Court of Bibb County. The Pharmaceutical Defendants have not filed a response to the Motion to Remand, and the time to do so has passed.

The Pharmaceutical Defendants have now filed a Notice of Withdrawal of Notice of Removal. (Doc. 17). The Court construes this notice as a request for a remand of this action back to the Superior Court of Bibb County and a concession

to Plaintiff's Motion to Remand. Defendant Coliseum Medical Center, LLC also consents to the Motion to Remand. Accordingly, the Motion to Remand (Doc. 7) is granted and this case is remanded to the Superior Court of Bibb County. The parties shall each be responsible for their own attorney's fees.

SO ORDERED, this the 16th day of June, 2010.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

mbh